UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/922,209	08/03/2001	John David West Brothers	9339/34809	7950

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EXAMINER
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ART UNIT	PAPER NUMBER
2145	

DATE MAILED: 06/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>08 March 2006</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>9 and 32-38</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>9, 32-38</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 9 and 32-36 rejected under 35 U.S.C. 102(e) as being anticipated by Smith et al

(U.S. 6,529,956), hereinafter referred to as "Smith".

As per claim 9, Smith teaches a method comprising the steps of: receiving a signal

requesting a web page document from a web access device, the signal including an IP address of

the WAD (column 16, lines 15-25); retrieving data for the web page document including a URL

of a document referenced in the web page document (2; 25-40); retrieving resource access right

data for the URL using the IP address of the WAD and/or user name and password established

through a login procedure (11; 62-65, 13; 60-65, 15; 57-62, 16; 15-25); generating hash and/or

encrypted data to generate secure resource access right data (5; 40-60); combining the secure

resource access right data with the respective URL to generate a secure URL (2; 25-40, 11; 39-

54, 17; 20-27); generating the web page document including the secure URL that can be used to

generate a request for the document (2; 25-40, 16; 35-59); and transmitting the web page

document including the secure URL to the WAD (11; 39-54, 2; 25-40).

As per claim 32, Smith teaches a method comprising the steps of: receiving a signal requesting access to a resource, the request signal including a URL, secured resource access right data, and an IP address of a device requesting access to the resource, and hash data, wherein the request signal was generated from a web page containing a secure URL combining the hash data, URL, and secured resource access right data (13; 33-46, 15; 30-40); verifying whether key data is valid based on data corresponding to the key data in a secure content key database (13; 60-65); if the key data is verified as valid in step (b), generating hash data based on at least the IP address, URL, and the key data (15; 57-62, 16; 15-25); and verifying that the hash data generated matches the hash data included in the request signal received (15; 30-40).

As per claim 33, Smith teaches the method as claimed in claim 32, further comprising the steps of: terminating the request signal if the verifying of the step (d) indicates that the hash data generated in the step (c) does not match the hash data included in the request signal received in the step (a) (13; 60-65).

As per claim 34, Smith teaches the method as claimed in claim 33, further comprising the steps of: determining whether access to a resource is to be provided to a device identified by the IP address, based on the resource access right data included in the request signal (15; 57-62, 16; 15-25); and providing access to the resource to a device identified by the IP address if the determining of the step (f) indicates that access to the resource is to be provided (15; 57-62, 16; 15-25).

As per claim 35, Smith teaches the method as claimed in claim 34, further comprising the steps of: retrieving resource access right data from a database, the determining of step (f) based further on whether the IP address of the request signal is authorized to access the resource

indicated by the URL of the request signal, based on the retrieved resource access right data (13;

60-65).

As per claim 36, Smith teaches the method as claimed in claim 32, wherein the request

signal received in step (a) includes key index data, the method further comprising the step of:

retrieving the key data from the secure content key database using key index data (13; 32-46).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 37 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith.

As per claims 37 and 38, Smith teaches the method as claimed in claim 32, but does not

specifically teach time-to-live considerations in dealing with the validity of key data. Official

notice is taken that the consideration of time-based data in creating and using keys is well known

in the art of key generation and manipulation (Please see paragraph 373 of U.S. 2004/0170176,

as an example). It would have been obvious to one of ordinary skill in the art at the time of the

invention to include time-to-live considerations in the system of Smith, to allow for situations

where sessions may be timed out, so that security is maintained.

Response to Arguments

Applicant's arguments filed March 8, 2006 have fully been considered but are not persuasive.

a. Applicant asserts that many of the features cited pertain to the sender of the documents, rather than the receiving client. Examiner respectfully disagrees with this assertion, and respectfully submits that even if this assertion was true, in the cases of encryption, security, and the generation of a PURL, the origination of the features is irrelevant in regards to the claim language, since the client is the entity subject to these features. For example, it is the client's particular traits that will enable him/her to access the documents.

b. As claimed, when the PURL is received is irrelevant, since the claim language does not limit the secure URL being created in a causal fashion. Even if this were the case, in column 17, lines 20-27, Smith discloses a situation in which a user attempts to access a document through a certain PURL and is subject to new security and constraints, and as such, a new PURL is generated, which assumes similar characteristics of the old PURL (security features, IP logging, etc.), which constitutes the URL being created causally. The generation of a new PURL, taking into account the user's identity, content, keys, etc. takes place.

c. The new PURL is generated in a web page document, as discussed in column 17, lines 20-27.

d. Regarding claim 9, Examiner respectfully disagrees with the assertion that the IP address is used after the PURL is generated. As the cited portions of Smith, along with column 17, lines 20-27 states, the system may use the IP address to create a new PURL, which is

generated as the user desires to access the server. Even if this were not the case, Smith would

still read over the claim language, given that the time of the formation of a secure URL is not

specifically disclosed. The only disclosure is that there is a method in which a an entity receives

a signal requesting a web page document from a WAD, which includes an IP address, which is

clearly discussed in Smith. Next, the retrieval of document data including a URL is disclosed in

multitude of forms – through email or through the new PURL generation. Retrieving the further

security features using the IP address of the receiver or through a login procedure is also

abundantly discussed. Hash generation is disclosed, which generates access right data, which is

then combined with the base-URL (in this case posta.tumbleweed.com) to form a secure URL.

The document is then generated, which includes the URL (browsers also return the URL of the

web page visited), which can be used to access the document, and the document is then

transmitted. All of these features discussed in Smith completely encompass the features as

claimed.

e. With respect to claim 32, similar rationale applies to the reception of a signal

requesting access to a resource, where the new PURL encompasses all of the security aspects

claimed. The validity of the key data does not pertain to the sender, but rather the recipient's

ability to access the document is predicated on whether the keys are valid. Further, hash data is

generated in the PURL. The verification takes place, given that an invalid PURL would result in

disallowing access to the document.

f. Examiner respectfully disagrees with the Applicant's assertion that having time-

sensitive keys would not have been obvious to one of ordinary skill in the art. Given that Smith

discloses the time in which a document is accessed, it would have been obvious to one of

ordinary skill to set a time limit on how long a secure URL, for example, is valid. Given that

Smith teaches security features consistent with web-page security, for example, implementing a

URL time limit would have been a logical extension. In the generation of a new PURL, for

example, the disallowance of the user's accessing the web page if he/she hesitates is abundantly

well known in the art as well, and in an invention that pertains to accessing web-pages using

URLs, motivation exists to add time-sensitivity, and an expectation of success certainly exists,

given that this aspect is so common in the art.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Tanim Hossain whose telephone number is 571/272-3881. The

examiner can normally be reached on 8:30 am - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Jason Cardone can be reached on 571/272-3933. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Tanim Hossain
Patent Examiner
Art Unit 2145

JASON CARDONE
SUPERVISORY PATENT EXAMINER